IN THE HIGH COURT OFCHHATTISGARH AT BILASPUR

Writ Petition No. 298 of 2003.

PETITIONER : Shiv Prasad Yadav son of Shri Anurup Ram Yadav, aged about 33 years, working as a Salesman, resident of village - Parsa, P.O. Dandgaon, Tah. Ambikapur, Distt. Surguja (C.G.).

P. R. No. 1557
Presented by Shri D.K. Vishwakarma
dated 12.01.03

V E R S U S

RESPONDENTS : (1) State of Chhattisgarh Through : Secretary, Civil Supplies Corporation Ltd. D.K.S. Bhawan, Raipur (C.G.)

(2) Collector, Surguja (C.G.) Ambikapur (C.G.).

(3) Food Officer, Ambikapur Distt. Surguja (C.G.).

(4) Assistant Food Officer, Ambikapur, Distt. Surguja (CG).

(5) Additional Tahsildar, Udaipur, Tah. Ambikapur, Distt. Surguja (C.G.).

(6) District Manager, State Civil Supplies Corporation, Ambikapur, Distt. Surguja (C.G.).

(7) Smt. Nain Kumari W/o Shri Jhallu Ram, Sarpanch village Panchayat Parsa, aged about 45 years, Caste - Gond, resident of village - Parsa, P.O. - Dandgaon, Distt. Surguja (CG).

(8) Amir Sai S/o Munshi Ram, aged about 30 years, resident of village -Parsa, P.O.-Dandgaon, Distt. Surguja (C.G.).

.....contd.

(41)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA :

(96)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 298/03 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
05-03-2003		

Shri V.K. Pandey, counsel for the petitioner.

Dr. N.K. Shukla, Additional Advocate General with Shri D.R. Agarwal, Deputy Advocate General for the State.

Heard.

The challenge in this writ petition is to the order dated 13-12-2002, copy whereof is Annexure A-1 whereby, according to the petitioner, without issuing a show cause notice he has been removed from the post of Salesman and in his place respondent No.8- Amir Sai has been appointed as a Salesman. According to the petitioner, the order is bad in law as it has been passed without issuing a show cause notice and without giving any opportunity of hearing to the petitioner.

When the matter was being argued on the question of admission and interim orders it was fairly stated on behalf of the State that the order cannot be sustained and may be quashed with liberty to the respondent/State to take appropriate action in accordance with law.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 40 WP 258/03 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	In view of the above statement made on behalf of the State, the said order (Annexure A-1) is quashed with liberty to the State to take appropriate action in accordance with law. With above observations and directions this petition stands disposed of. Consequently M.W.P. No.252/2002 & I.A. No.681/2003 for urgent hearing also stand disposed of. Certified copy as per Rules. Sd/- P.C.Naik Judge	

Rs Rem C